

01-23-02

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JC962 U.S. PTO
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PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 24637-5

First Inventor Merk et al.

Title ROCKING DISPLAY DEVICE

Express Mail Label No. EL579224981US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages (preferred arrangement set forth below)
- Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets

5. Oath or Declaration [Total Pages

a. ☐ Newly executed (original or copy)

b. ☐ Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 18 completed)

i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s)
named in the prior application, see 37 CFR
1.63(d)(2) and 1.33(b).

6. ☒ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or
Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
- a. ☐ Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ paper
- c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of
(when there is an assignee) Attorney
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure ☒ Copies of IDS
Statement (IDS)/PTO-1449 Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122
(b)(2)(B)(i). Applicant must attach form PTO/SB/35
or its equivalent.
17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____

Prior application information.

Examiner _____

Group Art Unit: _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS☒ Customer Number or Bar Code Label

21130

(Insert Customer No. or Attach bar code label here)

or ☐ Correspondence address below

Name W. Scott Harders

Address 2300 BP Tower
200 Public Square

City Cleveland State Ohio Zip Code 44114

Country U.S.A. Telephone 216-363-4443 Fax 216-363-4607

Name (Print/Type) W. Scott Harders

Registration No. (Attorney/Agent) 42,629

Signature

Date January 17, 2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

Complete if Known

Application Number	not assigned
Filing Date	
First Named Inventor	Merk et al.
Examiner Name	not assigned
Group Art Unit	
Attorney Docket No.	24637-5

TOTAL AMOUNT OF PAYMENT (\$ 370.00

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 02-2051
Deposit Account Name Benesch, Friedlander, Copl...

☐ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☒ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code	Small Entity Fee Code	Fee (\$)	Fee Description	Fee Paid
101	201	740	Utility filing fee	370.00
106	206	330	Design filing fee	
107	207	510	Plant filing fee	
108	208	740	Reissue filing fee	
114	214	160	Provisional filing fee	

SUBTOTAL (1) (\$ 370.00

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity Fee Code	Small Entity Fee Code	Fee (\$)	Fee Description
103	203	18	Claims in excess of 20
102	202	84	Independent claims in excess of 3
104	204	280	Multiple dependent claim, if not paid
109	209	84	** Reissue independent claims over original patent
110	210	18	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code	Small Entity Fee Code	Fee (\$)	Fee Description	Fee Paid
105	205	130	Surcharge - late filing fee or oath	
127	227	50	Surcharge - late provisional filing fee or cover sheet	
139	139	130	Non-English specification	
147	147	2,520	For filing a request for ex parte reexamination	
112	112	920*	Requesting publication of SIR prior to Examiner action	
113	113	1,840*	Requesting publication of SIR after Examiner action	
115	215	110	Extension for reply within first month	
116	216	400	Extension for reply within second month	
117	217	920	Extension for reply within third month	
118	218	1,440	Extension for reply within fourth month	
128	228	1,960	Extension for reply within fifth month	
119	219	320	Notice of Appeal	
120	220	320	Filing a brief in support of an appeal	
121	221	280	Request for oral hearing	
138	138	1,510	Petition to institute a public use proceeding	
140	240	110	Petition to revive - unavoidable	
141	241	1,280	Petition to revive - unintentional	
142	242	1,280	Utility issue fee (or reissue)	
143	243	460	Design issue fee	
144	244	620	Plant issue fee	
122	122	130	Petitions to the Commissioner	
123	123	50	Processing fee under 37 CFR 1.17(q)	
126	126	180	Submission of Information Disclosure Stmt	
581	581	40	Recording each patent assignment per property (times number of properties)	
146	246	740	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	249	740	For each additional invention to be examined (37 CFR § 1.129(b))	
179	279	740	Request for Continued Examination (RCE)	
169	169	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 370.00

SUBMITTED BY

Complete (if applicable)

Name (Print/Type) W. Scott Harders Registration No. 42,629 Telephone (216) 363-4443
Signature [Signature] Date 01/17/2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application: Merk et al.
Serial No.: Not Yet Assigned
Docket No.: 24637-5
Title: **ROCKING DISPLAY DEVICE**

CERTIFICATE OF EXPRESS MAIL UNDER 37 C.F.R. 1.10*

I hereby certify that these papers are being deposited with the United States Postal Service on January 17, 2002, in an envelope as "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. 1.10, and addressed to: Box Patent Application, Commissioner for Patents, Washington, D.C. 20231.

EL579224981US

Express Mail Label Number

W. Scott Harders

(type or print name of person mailing paper)



Signature of person mailing paper

Documents included:

1. Utility Application Transmittal (1 page in duplicate)
2. Utility Patent Application (10 pages)
3. Informal Drawings (6 sheets)
4. Application Data Sheet
5. Fee Transmittal (1 page in duplicate)
6. Information Disclosure Statment
7. Postage Paid Return Postcard